



**US Army Corps
of Engineers.**
Philadelphia District

Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OP-R

Public Notice

Public Notice No. CENAP-OP-R- 200600517-24 Date JUN 22 2006

Application No. File No.

In Reply Refer to:
REGULATORY BRANCH

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: Margaret Shindle

AGENT: Arthur W. Ponzio Company and Associates, Inc.
400 North Dover Avenue
Atlantic City, NJ 08401

WATERWAY: Obes Thorofare

LOCATION: The project site is located on the southeastern shoreline of Obes Thorofare, just to the north of its confluence with Wading Thorofare, at 834 West Shore Drive, Block 7304, Lots 17 and 18, in the City of Brigantine, Atlantic County, New Jersey.

ACTIVITY: The applicant proposes to legalize and modify existing dock structures. Based on review of aerial photographs, an "L" shaped fixed pier has been present at this location since at least 1972. An "L" shaped floating dock was added to the fixed pier some time after 1987. The applicant proposes to relocate the outer portion of the fixed dock 9 feet waterward and reduce its width from 10 to 8 feet. This would result in a fixed pier that is 5 feet wide and 54 feet long leading to an 8 X 30' section at the end (in an "L" shape). Two new mooring piles would be installed. The floating dock would remain unchanged. There is a 4 X 13' ramp leading to an 8 X 28' float, with another 8 X 28' float at a right angle to the first. An existing breakwater at the end of the fixed pier would be removed. All new construction would be with non-polluting materials.

The proposed project has been approved by the New Jersey Department of Environmental Protection by means of Waterfront Development Permit (and Water Quality Certificate) Number 0103-00-0011.1, which was issued January 3, 2005, and modified October 17, 2005. Department of the Army authorization was included with the State permit in the form of a State Programmatic General Permit (SPGP-19) for 131 linear feet of new bulkhead on the face of the existing bulkhead, with up to 262 square feet of filled area between the old and new bulkheads.

PURPOSE: The applicant's stated purpose for the project is for private recreational use by the property owner.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.


Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

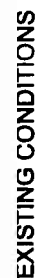
The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware", dated March 1999, specifically page 42, indicates that the proposed project would not have more than minimal adverse effect on any managed species, including winter flounder. This determination is based, in part, on the minimal disturbance to the waterway bottom and the use of non-polluting materials. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

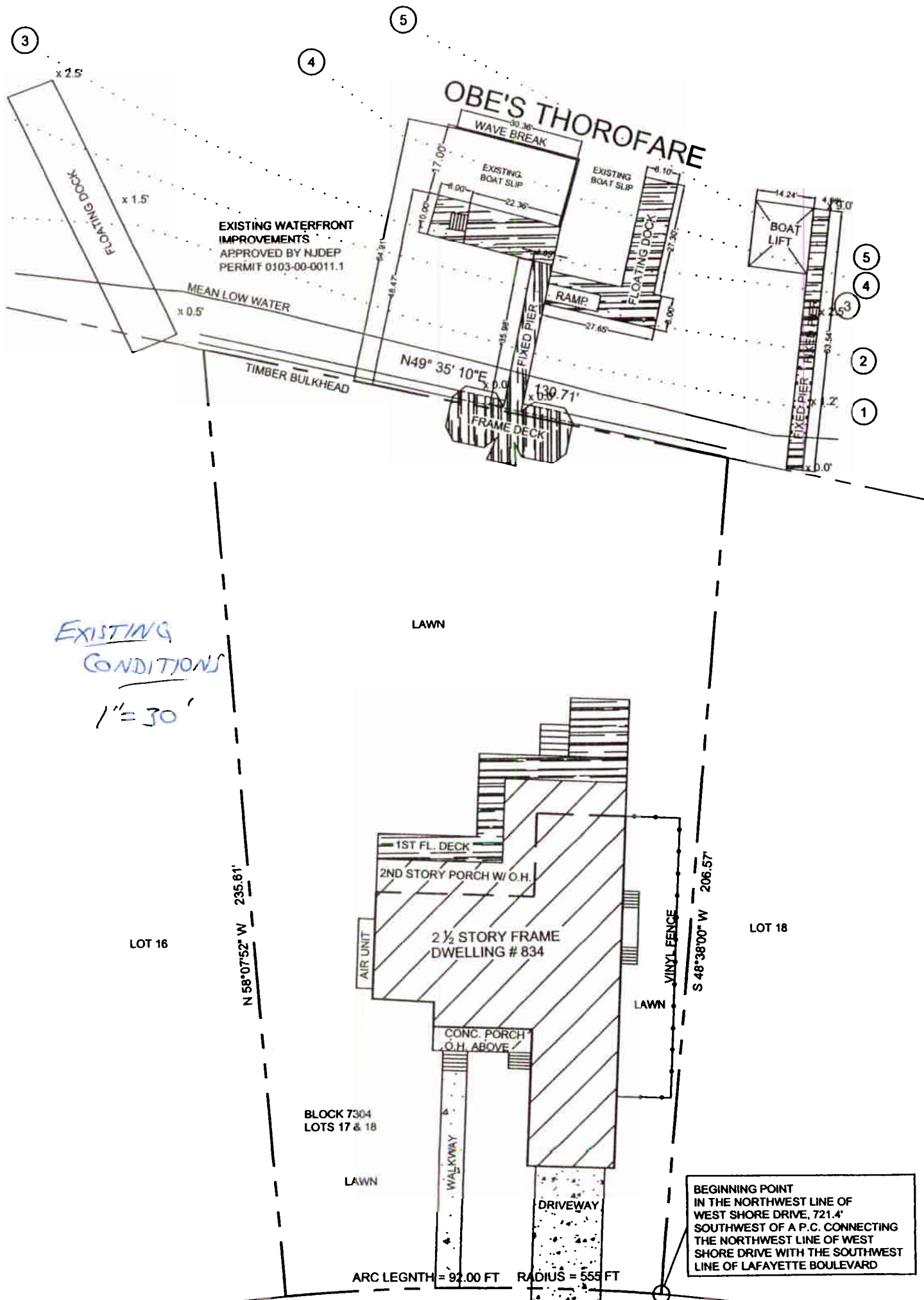
Additional information concerning this permit application may be obtained by calling James N. Boyer at (215) 656-5826 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.

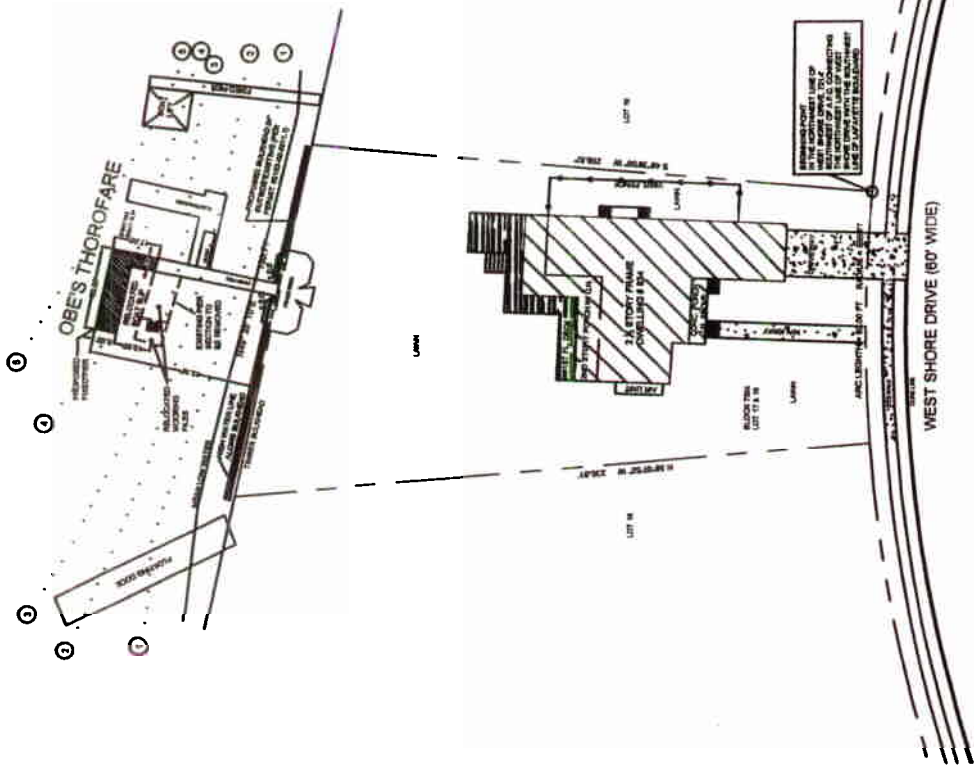

for Frank J. Cianfrani
Chief, Regulatory Branch



WATERFRONT DEVELOPMENT PLAN (MODIFICATION)

AWP
BLOCK 7364 LOTS 17 & 18
BRIGHTLINE CITY ATLANTIC COUNTY NEW JERSEY
ARTHUR W. PONZIO CO. & ASSOCIATES, INC.
SURVEYORS, PLANNERS, ENGINEERS
400 NORTH DOVER AVENUE, ATLANTIC CITY, N. J. 08401
PHONE: 863-344-6164 FAX: 863-344-6866





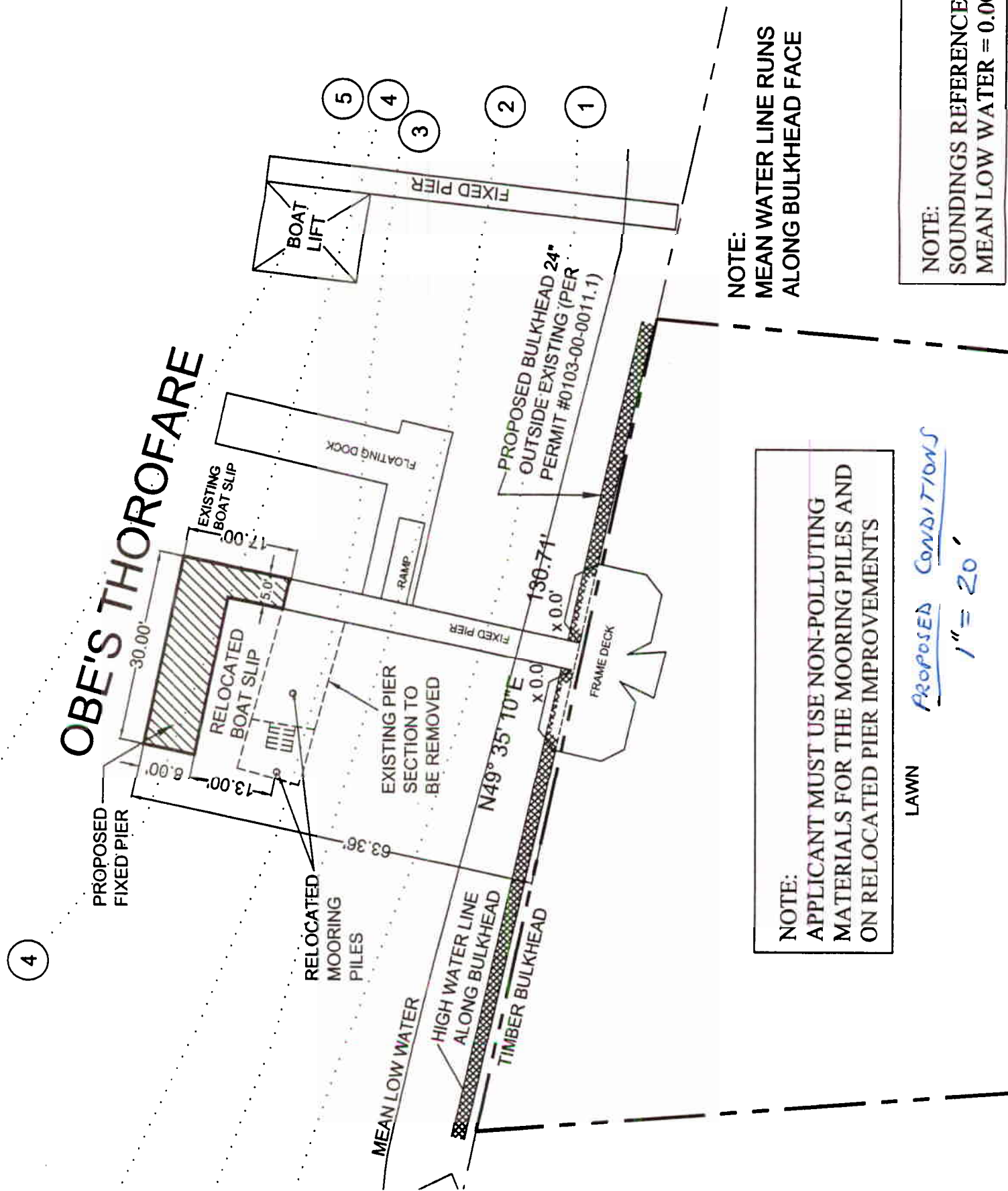
PROPOSED CONDITIONS

WATERFRONT DEVELOPMENT PLAN (MODIFICATION)
 BLOCK 7284 LOTS 17 & 18
 BRIGANTINE CITY ATLANTIC COUNTY NEW JERSEY
 ARTHUR W. PONZIO CO. & ASSOCIATES, INC.
 SURVEYORS, PLANNERS, ENGINEERS
 400 NORTH DOVER AVENUE, ATLANTIC CITY, N. J. 08401
 DATE: 10/15/2010
 FILE: 10/15/2010



TAXI

OBE'S THOROFARE

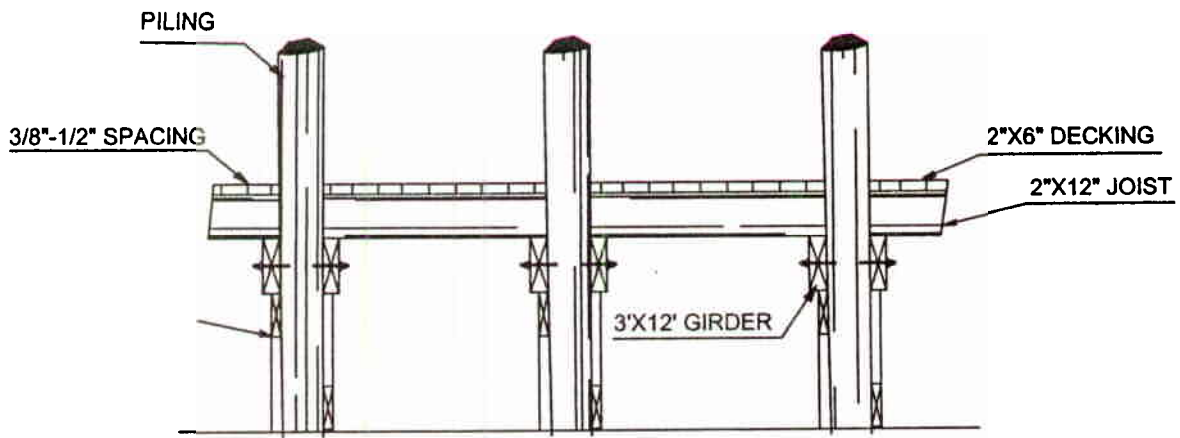


NOTE:
MEAN WATER LINE RUNS
ALONG BULKHEAD FACE

NOTE:
APPLICANT MUST USE NON-POLLUTING
MATERIALS FOR THE MOORING PILES AND
ON RELOCATED PIER IMPROVEMENTS

NOTE:
SOUNDINGS REFERENCE
MEAN LOW WATER = 0.00'

LAWN *PROPOSED CONDITIONS*
1" = 20'



ALL HARDWARE TO BE
HOT DIPPED GALVANIZED

FIXED PIER ELEVATION SCHEMATIC

DESIGN BY OTHERS

